



MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Martin O'Malley
Governor

Robert M. Summers, Ph.D
Acting Secretary

Anthony G. Brown
Lieutenant Governor

January 26, 2011

Mr. Shawn M. Garvin
Regional Administrator (3RA00)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia PA 19103-2029

Dear Mr. Garvin: *Shawn*

The purpose of this letter is to withdraw Maryland's State Implementation Plan (SIP) Revision #10-01 submitted to EPA on April 9, 2010 concerning regulatory amendments adopted to clarify preconstruction permitting requirements for electric generating stations. The SIP Revision included the following material:

(1) Maryland Department of the Environment (MDE) regulations.

MDE's regulation changes became effective on November 16, 2009 and included amendments to Regulations .09 and .10 under COMAR 26.11.02, Permits, Approvals, and Registration.

These amendments clarified permit to construct and approval requirements for electric generating stations that are not required to receive a Certificate of Public Convenience and Necessity (CPCN) from the Maryland Public Service Commission (PSC) before commencing construction; and

(2) Maryland Public Service Commission (PSC) regulations and portions of the Annotated Code of Maryland that provide the authority for the PSC regulations.

The PSC regulatory changes became effective on December 28, 2009 and included amendments to Regulations .01 and .02, new Regulation .06 and recodification of existing Regulation .06 to be Regulation .07 under COMAR 20.79.01 General.

These regulatory changes implemented statutory revisions previously enacted to bring Maryland's power plant permitting program into conformance with Federal Clean Air Act requirements. This section of the SIP Revision also included the portions of §§ 7-205, 7-207, 7-207.1 and 7-208 of the Public Utility Companies Article of the Maryland Code, which provide the authority for the PSC regulatory amendments.



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If you have any questions regarding this request to withdraw SIP Revision #10-01, please feel free to call me at (410) 537-3084 or have a member of your staff call Mr. George (Tad) S. Aburn, Jr., Director of the Air and Radiation Management Administration, at (410) 537-3255.

Sincerely,



Robert M. Summers, Ph.D
Acting Secretary

cc: Diana Esher, Director,
Air Protection Division, EPA Region 3

